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EXAMINER

RUDOLPH, VINCENT M

ART UNIT

PAPER NUMBER

2624

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,401

Applicant(s)

ANDO ET AL.

Examiner

Vincent M. Rudolph

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,9-20 and 23-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,9-20 and 23-36 is/are rejected.
- 7) ☒ Claim(s) 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claim 36 is objected to because of the following informalities: the claim is being dependent off of itself. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 9-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) taken in view of Nose ('395).

Regarding claim 1, Cook ('655) discloses having an image printing system (kiosk, See Figure 1) with a main body (the self-service film processing system, See Figure 1, Element 100; Col. 3, Line 60-62) and a backyard printing part that is connected to the main body via a line (the printer is located in proximity to the system, such as a cashiers counter, in order to process the prints, See Col. 8, Line 40-47). The image printing system uses the main body to accept various inputting means for inputting the data, such as processing negative film, a scanner, storage media, and a digital camera (See Fig. 1, Device 118; Col. 6, Line 28-Col. 7, Line 7), a request inputting means (customer input device, See Figure 1, Element 116) for inputting requests for an image to be outputted (lets the customers to input data or interact with the system, See Col. 6, Line 6-8), a display means for displaying an image (monitor, See Figure 1, Element 102), an

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output content indicating data preparation means (the touch screen monitor, See Figure 1, Element 102) to prepare the data content to be outputted (the touch screen has the ability to display the images and allow the customer to choose the specific digital images outputted in several different forms, allows the image to be edited, See Fig. 1; Col. 4, Line 15-24, and also output the images back onto the storage media, See Fig. 1, Col. 9, Line 11-19). It also contains an output method choice means (user selecting how and where to output the images, See Col. 7, Line 30-34) for selecting either instantaneous printing using the instantaneous printing means (local printer, See Figure 1, Element 134a, to print the images instantaneously at the kiosk, See Col. 8, Line 41-44) or backyard printing (printed near the cashier's register, See Col. 8, Line 45-46). The main body also includes a private information inputting means (payment system such as a card reader, See Figure 1, Element 112a) to input information (payment cards contains private information of the customer, such as the card amount and credit/debit card number, See Col. 5, Line 9-14), and a receipt note issuing means (receipt printer, See Figure 1, Element 112d) that outputs a receipt note which has information on it (the customer would receive the receipt after the customer paid for service with a bar code to identify the user, See Col. 5, Line 29-40). The backyard printing section includes the collation sheet printing means (printed images), which has the customer identity information (once the cashier scans the bar code of the receipt, the customer would receive the prints that were ordered, See Col. 5, Line 29-40).

Cook ('655) does not disclose the user inputting the private information anywhere.

Nose ('395) discloses inputting the user ID at the work station in order to obtain the private information corresponding to the user (See Col. 4, Line 45-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to obtain the user ID, such as the disclosed by Nose ('395) and incorporate it into the image printing system of Cook ('655) because once the private information is obtained, the user is able to output this data in order to receive the outputted images through the backyard printing.

Regarding claim 2, Cook ('655) discloses using a scanner to input various forms of images directly at the kiosk to produce the digital image (See Figure 1, Element 118b; Col. 6, Line 39-42).

Regarding claim 3, Cook ('655) discloses using other forms for inputting images, such as an undeveloped film scanner, signal input for devices such as a digital camera, a storage media reader such as a CD, DVD, flash drive, and a floppy drive, as well as accessing images using the Internet from a communications network (See Figure 1, Element 118; Col. 6, Line 61-Col. 7, Line 2).

Regarding claim 4, Cook ('655) discloses the main body (the self-service film processing system, See Figure 1, Element 100; Col. 3, Line 60-62) and the backyard print are located in the same shop (they are located in the proximity to the film processing system, See Col. 8, 44-47).

Regarding claim 5, Cook ('655) discloses the main body (the self-service film processing system, See Figure 1, Element 100; Col. 3, Line 60-62) and the backyard

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print are connected through a network (the output device, See Figure 1, Element 124 includes a communications network, See Figure 1, Element 124a; Col. 7, Line 31-35).

Regarding claim 9, Cook ('655) discloses various ways to obtain the input data from the kiosk, such as a storage device, a scanner, a digital camera, negative undeveloped film and also from an Internet web site that allows the customer to access the images from an archive or from a different film processing system (See Fig. 1, Element 118; Col. 6, Line 28-Col. 7, Line 7), a request to input the data by using a touch screen monitor that allows the customer to customize the images to one's preference (See Fig. 1; Col. 4, Line 15-24), then if the images are ready to print and the customer does not want to have them printed instantaneously, the images can either be temporarily stored on the kiosk for a limited time period (See Col. 7, Line 55-Col. 8, Line 7) or printed and stored at an area controlled by the cashier (See Col. 8, Line 39-46), and the kiosk also issues a receipt that has a unique bar code which allows the customer to pay and receive the printed images at a given time (See Col. 5, Line 25-37).

Regarding claim 10, as seen in Figure 1, Element 118 and Col. 6, Line 28-Col. 7, Line 18, Cook ('655) discloses the kiosk being able to input the images in many ways, such as undeveloped film, a scanner, an input signal such as a digital camera, video recorder, laptop computer, serial, parallel, and universal serial bus (USB) connection, a storage media such as a floppy disk, CD, DVD, and any other storage media, or by accessing the images using the Internet.

Regarding claim 11, Cook ('655) discloses the kiosk being able to input the image and edit, enhance, or correct it properly before it can be outputted (See Figure 1, Element 116; Col. 7, Line 19-25).

Regarding claim 12, Cook ('655) discloses the certification information setting means includes a password designating means (receipt printer, See Figure 1, Element 112d) for setting a password (a password, or bar code, which can uniquely identify the user is outputted so that only that user can access the prints, See Col. 5, Line 28-34).

Regarding claim 13, Cook ('655) discloses the certification information setting means (receipt printer, See Figure 1, Element 112d) includes giving a password automatically (a password, or bar code, is automatically provided to the user so the prints can be retrieved at any given time, See Col. 5, Line 28-34).

Regarding claim 14, Cook ('875) discloses a storing box and the key is the certification information (in order for the user to retrieve the images, the cashier, which controls the area with the stored images, has to get the certification information, or the receipt with the unique bar code, before allowing the user to receive the images, See Col. 5, Line 29-37).

Regarding claim 15, Cook ('875) discloses the storage means includes several storing spaces, which can be locked independently and separately with a key and a ejection port for discharging the printed articles stored (one storage area is located by the cashier so that the unique bar code can allow the user to receive the printed images discharged previously, See Col. 5, Line 29-37, or the user can access the images over

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the Internet using a password as the key and order prints from the web site and have them discharged, or delivered, See Col. 8, Line 19-32).

Regarding claim 16, Cook ('875) discloses allowing the customer to either temporarily store the images on the kiosk for a limited time period (See Col. 7, Line 55-Col. 8, Line 7) if the images are ready to print and the customer does not want to have them printed instantaneously (See Col. 8, Line 41-43) or have the images printed and stored at an area controlled by the cashier (See Col. 8, Line 45-47) with the kiosk also issuing a receipt having a unique bar code which allows the customer to pay and receive the printed images at a given time (See Col. 5, Line 25-37).

Regarding claim 17, Cook ('875) discloses the system (kiosk, See Figure 1) with a main body (the self-service film processing system, See Figure 1, Element 100; Col. 3, Line 60-62) that includes the image data procurement means (the image input data, See Figure 1, Element 118), the request inputting means (customer input device, See Figure 1, Element 116), the output content indicating data preparation means (program to edit the digital images, See Col. 7, Line 20-25), the output method choice (whether the user wants to temporarily store the images on the kiosk for a limited time period, See Col. 7, Line 55-Col. 8, Line 7, if the images are ready to print and the customer does not want to have them printed instantaneously, See Col. 8, Line 41-43, or have the images printed and stored at an area controlled by the cashier, See Col. 8, Line 45-47), the instantaneous printing means (local printer to immediately obtain the images, See Col. 8, Line 41-43), and certification information setting means (the receipt with the unique bar code, before allowing the user to receive the images, See Col. 5, Line 29-

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37). The backyard printing part is connected to the main body via a line (the printer is located in proximity to the system, such as a cashiers counter, in order to process the prints, See Col. 8, Line 40-47) and a stocker part (bar code scanner) is equipped with the certification inputting means (it verifies the user prior to issuing the printed images, See Col. 5, Line 29-34).

Regarding claim 18, Cook ('875) discloses the main body (the self-service film processing system, See Figure 1, Element 100; Col. 3, Line 60-62) and the stocker part (bar code scanner) are connected via a line (in order to correctly identify the user, the bar code scanner has to be connected or attached from a line to the main body, See Col. 5, Line 29-34).

Regarding claim 19, Cook ('875) the main body (the self-service film processing system, See Figure 1, Element 100; Col. 3, Line 60-62), the backyard print and stocker part are located in the same shop (they are located in the proximity to the film processing system, See Col. 8, 44-47 so the cashier can verify the customer using the bar code scanner, See Col. 5, Line 29-34).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) taken in view of Nardoizzi ('837) and Vance ('874).

Regarding claim 20, Cook ('655) discloses a kiosk, which is a self-service film processing system with a touch screen monitor (See Fig. 1; Col. 4, Line 15-24), and is able to accept various inputs such as a digital camera (See Fig. 1, Element 118; Col. 6, Line 45-49) and output it in several different forms, one being a printer located in the kiosk (See Fig. 1, Element 124c; Col. 8, Line 43-44).

Cook ('655) fails to show an overview image of the kiosk for the exact location of everything describe and also fails to point out if the monitor has the ability to be adjusted in height and tilt angle.

Nardozzi ('837) provides a figure of a kiosk that shows a monitor located at the upper side of the main body and displays information such as images and the like on the touch screen to help the customer complete the order with the various input devices located directly to the right of it (See Fig. 1 and Fig. 5A-5G).

Vance ('874) describes having a monitor that adjusts to the height of the user's eyes, either automatically by use of a camera, or manually (See Fig. 3; Col. 2, Line 34-42).

It would have been obvious to one of ordinary skill in this art at the time of the invention by applicant to have the kiosk constructed similarly to the one suggested by Nardozzi ('837) and being more user-friendly such as having the monitor being located at the upper side of the main body and also adjustable such as the one suggested by Vance ('874) that provide users with different heights a better and more helpful viewing experience.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) in view of Nardozzi ('837), Vance ('874), and Minamishin ('468).

Regarding claim 23, Cook ('655) discloses a kiosk, which is a self-service film processing system with a touch screen monitor (See Fig. 1; Col. 4, Line 15-24), and is able to accept various inputs such as a digital camera, other inlet ports connections, and storage media such as a CD or DVD-ROM which have an open/close cover to

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insert the media (See Fig.1, Element 118; Col. 6, Line 45-Col. 7, Line 2) so the user can input the images on the touch screen monitor, which displays image and character information to help choose anyone to edit (See Col. 4, Line 3-7), and finally output it in several different forms, one being a printer located in the kiosk (See Fig.1, Element 124c; Col. 8, Line 43-44).

Cook ('655) fails to show an overview image of the kiosk for the exact location of everything describe, also does not disclose an outlet port with an automatic open/close cover to retrieve the images, and fails to point out if the monitor has the ability to be adjusted in height and tilt angle.

Nardozzi ('837) provides a figure of a kiosk that shows a monitor located at the upper side of the main body and displays information such as images and the like on the touch screen to help the customer complete the order with various input devices located directly to the right of the display monitor (See Fig. 1 and Fig. 5A-5G).

Vance ('874) describes having a monitor that adjusts to the height of the user's eyes, either automatically by use of a camera, or manually (See Fig. 3; Col. 2, Line 34-42).

Minamishin ('468) discloses an ATM having a gate port to disperse money whenever a user wants to retrieve a certain amount (See Fig. 1; Col. 5, Line 11-16), and also has an operating mechanism for closing the gate port after the money is removed (See Fig. 1; Col. 6, Line 8-14).

It would have been obvious to one of ordinary skill in this art at the time of the invention by applicant to have the kiosk constructed similarly to what was described by

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Nardozzi ('837) with a monitor that is more user friendly and adjustable to the person's height such as the one described by Vance ('874), and added an automatic open/close cover for the printed images such as the one described by Minimishin ('468) to prevent anyone stealing the printed images at the kiosk while someone is still there.

Claim 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) in view of Morba ('033).

Regarding claim 24, Cook ('655) discloses a kiosk being able to input an image from various sources, such as a digital camera (See Fig. 1, Element 118; Col. 6, Line 45-49), print it out onto the printer located within the kiosk (See Fig. 1, Element 124c; Col. 8, Line 43-44). Cook ('655) discloses cropping an image (See Col. 7, Line 20-25), but does not describe a way to align that image proportionally within the frame. It well known within the art that whenever an image is being cropped, the user has a box to select a region to keep, then the remaining image can be realigned to the user's specification.

Cook ('655) fails to disclose a printer within the kiosk being able to adjust the edited image in proportion to the pre-cut paper before printing.

Morba ('033) describes a printing system that lets the user choose the desired dimensions of the image into any given size by using a cutting mechanism (See Fig. 1, Element 25; Col. 3, Line 48-49), and also uses a Micro Light Valve Array digital printer to scan a light containing the image data from the pre-cut sheets (See Col. 3, Line 57-67).

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It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have the kiosk of Cook ('655) attach a cutting mechanism like the apparatus described by Morba ('033) in order to allow a user the opportunity to customize the size of any image by specifying the particular dimensions within the kiosk before aligning and printing out the image.

In regards to claim 25, Cook ('655) discloses a software program within the kiosk so the user is able to adjust, or edit, the image before it is outputted to the printer (See Col. 7, Line 19-22).

Cook ('655) does not disclose adjusting the image includes scaling, translocating, or rotating.

The examiner takes **OFFICIAL NOTICE** that editing an image includes scaling, translocating, or rotating. The reason is because an image might need to be scaled down in order to fit within the frame, located to another place to fit better within the frame, or have the image rotated so it can be either a horizontal or vertical printout. Thus by incorporating these adjustments into the image printing system, it assists the user to enhance the image prior to outputting it.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) in view of Morba ('033) and further in view of Otsuki ('096).

Regarding claim 26, Cook ('655) discloses cropping an image (See Col. 7, Line 20-25), but does not describe a way to align that image proportionally within the frame. It well known within the art that whenever an image is being cropped, the user has a

box to select a region to keep, then the remaining image can be realigned to the user's specification.

Cook ('655) does not disclose detecting the transporting state of the pre-cut seal before printing and adjusting the printing where a deviation of the position is calculated for the printing position.

Morba ('033) discloses once the user selects the desired dimensions for the image (See Col. 3, Line 48-49), the sheet is first cut into the requested size prior to printing on it (See Col. 4, Line 8-10) so the printing position is able to be calculated, or scanned, in order to form an image on the sheet (See Col. 3, Line 57-67).

Otsuki ('096) discloses a deviation adjustment procedure (See Col. 10, Line 10-35) in order to determine if it corresponds to the stored value in the PROM within the printer to achieve the preferred corrected position (See Col. 10, Line 55-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have the kiosk of Cook ('655) include a detecting means like the apparatus described by Morba ('033) and a standard deviation on Otsuki ('096) because it eliminates the user from having to cut the borderlines around the image once it is outputted from the kiosk and also adjust the image in order to include all the information whenever it is outputted.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) in view of Morba ('033) and Otsuki ('096) as applied to claim 26 and further in view of Wright ('478).

Regarding claim 27, Cook ('655) does not disclose a detection mark that is provided on the backside of the pre-cut seal.

Wright ('478) discloses a detection mark (chop mark, See Figure 1, Element 18) that is provided on the back in order to have the images cut (See Col. 3, Line 24-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have the kiosk of Cook ('655) include a detection mark on the back of the pre-cut seal, such as the one described by Wright ('478) because the kiosk is then able to detect the correct position the user requested from the detection mark on the back of the image, which eliminates any calculations errors for the image position.

Claims 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) in view of Nardozzi ('837).

Regarding claims 28-30, Cook ('655) discloses a kiosk having a touch screen monitor for user requests (See Col. 4, Line 22-24), a media reading part, such as a digital camera, various storage disks, and serial connections, to input the data (See Fig. 1, Element 118; Col. 6, Line 45-Col. 7, Line 2), which have image and character information on the display monitor to help select the specific image to edit (See Col. 4, Line 3-11) and output it in several different forms, such as a printer located in the kiosk (See Fig. 1, Element 124c; Col. 8, Line 43-44).

Cook ('655) fails to detail or visualize the exact location of everything on the kiosk, such as how and where the monitor and media reading part are both setup and located.

Nardozzi ('837) provides a figure of a kiosk that shows a monitor located at the upper side of the main body that displays image and character information on the touch screen to help the customer complete the order, and a media reading part located to the right of the display monitor, with various inputs located at the top and lower side of the top board (See Fig. 1 and Fig. 5A-5G). Even though Nardozzi ('837) does not disclose the upper surface of the monitor being put along or almost along the horizontal, it would have been obvious to modify the position from a vertical to a horizontal display in order to provide users of different heights the ability to use the terminal table without any outside help to see or use the screen display.

It would have been obvious to one of ordinary skill in this art at the time of the invention by applicant to have the kiosk of Cook ('655) setup similarly to what was described by Nardozzi ('837) so the locations of the monitor and media reading part being level with the user.

Regarding claim 31, Cook ('655) in view of Nardozzi ('837) do not disclose the display having a screensaver whenever it is not in operation but it would have been obvious to have one included within the table screen because it reduces the power on the table display when the terminal is not being used for a prolonged period of time, and thus extending the life of the table screen.

Cook ('655) and Nardozzi ('837) do not disclose expressly displaying a view that is matched with the design pattern and/or the interior design of the area where the table is placed whenever the table is not in operation.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to display a screensaver including a view of the design pattern and/or the interior design. Applicant has not disclosed that including a view of the design pattern and/or the interior design as the screensaver provides an advantage, is used for a particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with the screensaver or the claimed view of the design pattern and/or the interior design whenever the table is not in operation because both ultimately reduce the amount of power that the table screen has to use.

Therefore, it would have been obvious to one of ordinary skill in this art to modify the screensaver within the table display to obtain the invention as specified in claim 31.

Regarding claim 32, Cook ('655) discloses an outputting device to output the information read out at the media reading part (a digital camera, various storage disks, and serial connections, to input the data, See Fig. 1, Element 118; Col. 6, Line 45-Col. 7, Line 2, and output the information at an outputting device, such as a printer located in the kiosk, See Fig. 1, Element 124c; Col. 8, Line 43-44). The operation for outputting this information is done at the top board (using the touch screen as the mode for operation, See Figure 1, Element 116a, the user can output the information, such as print the images, See Col. 6, Line 6-14).

Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) in view of Mueller ('219).

Regarding claim 33, Cook ('655) does not disclose having the top board (display screen, See Figure 1, Element 116a) that includes a way for ordering food and/or drink.

Mueller ('219) discloses a customer self ordering system for ordering food on a top board (on a display screen, See Figure 7; Col. 13, Line 6-14).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have a process for ordering food, such as the system disclosed by Mueller ('219), and incorporate it into the information outputting system of Cook ('655) because it gives the user the convenience of not only ordering images at the top board, but ordering food also. So if the images take a while to process and print, the user can order food, pick it up and wait while the images are printing.

Regarding claim 34, Cook ('655) does not disclose having the top board (touch screen display, See Figure 1, Element 116a) charge for the food and/or drink.

Mueller ('219) discloses the amount the user owes for the food upon completion of the order (See Col. 14, Line 1-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have a charging process for ordering food, such as the system disclosed by Mueller ('219), and incorporate it into the information outputting system of Cook ('655) because the user can order the food and pay the amount due at the appropriate location while waiting for the images to finish printing.

Claims 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook ('655) taken in view Minamishin ('468).

Regarding claims 35-36, Cook ('655) discloses a kiosk that has the ability to print out digital images at the machine itself from various inlet port connections and storage media, such as a CD or DVD-ROM and also has an open/close cover to insert the media so the user can input the images, edit, and output them (See Col. 6, Line 45-Col. 7, Line 2).

Cook ('655) fails to describe an outlet port with an automatic open/close cover to retrieve the printed images whenever the user wants them printed instantaneously.

Minamishin ('468) discloses an ATM having a gate port to disperse money whenever a user wants to retrieve a certain amount (See Fig. 1; Col. 5, Line 11-16), and also has an operating mechanism for closing the gate port after the money is removed (See Fig. 1; Col. 6, Line 8-14).

It would have been obvious to one of ordinary skill in this art at the time of the invention by applicant to have applied an automatic open/close cover such as the one suggested by Minamishin ('468) added to the kiosk of Cook ('655) if a payment method was done at the kiosk and the instantaneous printing was chosen, the printed images cannot be removed until task is completed to prevent anyone from removing them without the customer's knowledge.

Response to Arguments

Regarding claim 1, applicant argues that Cook ('655) fails to show the private information inputting means and a subsequent receipt note. Cook ('655) discloses entering the private information, such as a credit card number, into the system and

having a receipt with a bar code printed as proof of the transaction. Also, Nose ('395) discloses retrieving the private information of the user after the user ID is inputted. Thus, whenever the backyard printer outputs the images, the customer is able to identify oneself in order to retrieve the images.

Also, applicant argues if the customer loses the receipt, the identification of the customer is not possible, but, in the event the customer does lose the receipt, he/she is able to bring up the private information at the system as proof of oneself in order to retrieve the images.

Regarding claim 9, applicant then argues that the customer does not need the clerk's help to open the locked storage with the printed images using the certification information. While Cook ('655) does not disclose that initially, it does meet the claimed limitation. For example, the clerk is there to not only verify your identity, but also to make sure the images are paid. Thus, by giving the receipt to the clerk, certification information can be checked prior to issuing the printed images to the customer.

Regarding claims 20 and 23, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, there is motivation to combine the references in order to overcome the limitation. The

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motivation for combining in regards to claim 20 is to incorporate a user-friendly image printing system that is able to provide all users the ability to use the system, such as having an adjustable monitor for different user heights. Also having a secure transaction, in regards to claim 23, so nobody is able to remove the images until everything is completed except for the user to prevent anyone from stealing the images.

Regarding claim 24, applicant argues Morba ('033) does not disclose aligning the image with a frame. But by combining Cook ('655) and Morba ('033), it meets the claimed limitation because a user would select the image size prior to printing, and by using Cook ('655) to crop, or edit, to image, it aligns the image within the frame as a result.

Regarding claims 26 and 27, applicant argues Morba ('033) does not disclose the detailed image adjustment means. But by combining Cook ('655) and Morba ('033) for claim 26, it meets the claimed limitation because a user would select the image size prior to printing, and by using Cook ('655) to crop, or edit, to image, it aligns the image within the frame as a result. Also, by combining Wright ('478) and Cook ('655) for claim 27, a detection, or chop, mark allows the kiosk to determine where the image is to be cut.

Regarding claims 28-30, applicant argues Nardoizzi ('837) does not disclose the monitor is displayed at an upper, or top surface. According to Nardoizzi ('837), the monitor is at the top or upper left part of the surface, which is still at the top of the system. Thus, it meets the claimed limitation disclosed.

Based on these facts, this action is made final.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are made of record: Gasper ('730), Usui ('168) and Bostic ('351).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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VME
3/8/06

Vincent M. Rudolph
Examiner
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